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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/916,243 | 07/25/2001 | David C. Wachtel | 42157/FLC/U367 | 6834 |

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EXAMINER

CORRIELUS, JEAN M

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2172

DATE MAILED: 05/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/916,243

Applicant(s)

WACHTEL, DAVID C.

Examiner

Jean M Corrielus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 11-19, 21-30, 33-41, 43-52, 55-63 and 65-96 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-19, 21-30, 33-41, 43-52, 55-63 and 65-96 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. This office action is in response to the amendment filed on March 2, 2004, in which claims 1-8, 11-19, 21-30, 33-41, 43-52, 55-63 and 65-96 are presented for examination.

Response to Arguments

2. Applicant's arguments with respect to claims 1-8, 11-19, 21-30, 33-41, 43-52, 55-63 and 65-96 have been considered but are moot in view of the new ground(s) of rejection necessitated by amendment.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-8, 11-19, 21-30, 33-41, 43-52, 55-63 and 65-96 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 1, recites "providing an ontology description of a data service". It is unclear to one having ordinary skill in the art at the time the invention was made to make and use the claimed invention without knowing what ontology description the applicant is referred to. The examination purposes the examiner has considered the this limitation to read —providing an ontology description of a data service, wherein said ontology description of a data service describes a data structure use by a request builder to built a data request for a plurality of a data provider—.

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6. Claims 21, 43 and 65, recite "providing a parser semantic description of the data set for use by the parser adaptor". It is unclear to one having ordinary skill in the art at the time the invention was made to make and use the claimed invention without knowing what semantic description the applicant is referred to. The examination purposes the examiner has considered the this limitation to read -- ***providing a parser semantic description of the data set for use by the parser adaptor including ontology information describing a data structure used by a request builder to built a data request for a plurality of a data provider***--.

7. Claims 23 and 45 recite "providing an ontology description of a data service". It is unclear to one having ordinary skill in the art at the time the invention was made to make and use the claimed invention without knowing which ontology description the applicant is referred to. The examination purposes the examiner has considered the this limitation to read --***providing an ontology description of a data service, wherein said ontology description of a data service describes a data structure use by a request builder to built a data request for a plurality of a data provider***--.

8. Claims 67 recites "providing the ontology description of a data service". It is unclear to one having ordinary skill in the art at the time the invention was made to make and use the claimed invention without knowing which ontology description the applicant is referred to. The examination purposes the examiner has considered the this limitation to read --***providing an ontology description of a data service, wherein***

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said ontology description of a data service describes a data structure use by a request builder to built a data request for a plurality of a data provider--.

9. Claim 82 recite "providing the ontology description of a data service". It is unclear to one having ordinary skill in the art at the time the invention was made to make and use the claimed invention without knowing which ontology description the applicant is referred to. The examination purposes the examiner has considered the this limitation to read **--providing an ontology description of a data service, wherein said ontology description of a data service describes a data structure use by a request builder to built a data request for a plurality of a data provider--.**

10. Claim 67 recites the limitation "the ontology description of a data service" in line 14. There is insufficient antecedent basis for this limitation in the claim.

11. Claim 82 recites the limitation "the ontology description of a data service" in line 19. There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

12. Claims 1-8, 11-19, 21-30, 33-41, 43-52, 55-63 and 65-96 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

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Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (703) 306-3035.

The examiner can normally be reached on Monday - Friday (12:00pm - 7:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jean M. Corrielus

Patent Examiner

May 13, 2004